

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM HAROLD WRIGHT, JR.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:22-CV-111
)	
WARDEN HUTCHISON, et al,)	
)	
Defendants.)	

MEMORANDUM ORDER

This action was received by the Clerk of Court on April 1, 2022. The matter was referred to United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

Plaintiff, an inmate acting pro se, alleges that Defendants, employees of the Department of Corrections, violated his constitutional rights in several ways. He was sanctioned with sixty days of mattress restriction and was denied cleaning materials for his cell, adequate amounts of toilet paper and soap, and forced to take freezing cold showers with dirty towels. Plaintiff also references a tooth ache and shoulder pain and so may be implying the denial of adequate medical care.

Defendants filed a motion to dismiss, or in the alternative, for summary judgment. ECF No. 46. Plaintiff did not file any opposition to the pending motion.

On July 17, 2023, Magistrate Judge Lanzillo issued a Report and Recommendation recommending that the pending motion be granted and that judgment be granted in favor of

Defendants and against Plaintiff based on Plaintiff's failure to exhaust his administrative remedies. ECF No. 57. As of today's date, no objections have been filed.

Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Local Rule 72(D)(2).

After *de novo* review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:


AND NOW, this 14th day of August 2023;

IT IS ORDERED that Defendants' motion to dismiss, or in the alternative motion for summary judgment [ECF No. 46] be granted.

IT IS FURTHER ORDERED that final judgment is entered in favor of Defendants and against Plaintiff pursuant to Fed.R.Civ.P. 58.

AND, IT IS FURTHER ORDERED that the report and recommendation of Magistrate Judge Lanzillo, issued on July 17, 2023 [ECF No. 57] is adopted as the opinion of the court.

As there are no additional matters pending before the Court in the above-captioned case, the Clerk is directed to mark this civil action "CLOSED."


/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge